

UNITED STATES DISTRICT COURT
for the
Southern District of California

United States of America

v.

COURTLAND M. GETTEL

Date of Original Judgment: 10/18/2017

Date of Previous Amended Judgment: 01/12/2018

(Use Date of Last Amended Judgment if Any)

Case No: 16cr1099-WQH

USM No: _____

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____ .
(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Defendant was sentenced to 135 months in the custody of the Bureau of Prisons for a wire fraud conspiracy in violation of 18 U.S.C. § 1349. Defendant moves for a reduced sentence under 18 U.S.C. § 3582(c)(2) as a result of the U.S. Sentencing Commission's amendments to USSG § 4C1.1, known as the "zero-point offender" provision. (ECF No. 216.) However, Defendant does not qualify for a reduction under § 4C1.1(a)(10) because Defendant admitted in his plea agreement and the Court found at sentencing that he was subject to an aggravating role enhancement under § 3B1.1. (See ECF No. 10 at 8; ECF No. 184 at 20.) Defendant's Motion for Reduction of Sentence must be denied for this reason alone. Moreover, on December 13, 2024, the President of the United States issued an Executive Grant of Clemency commuting Defendant's sentence of confinement (see ECF No. 221), which rendered Defendant's motion moot. The Motion for Reduction in Sentence is denied. (ECF No. 216.)

Except as otherwise provided, all provisions of the judgment dated 01/12/2018 shall remain in effect.

IT IS SO ORDERED.

Order Date: 1/23/25


Judge's signature

Effective Date: _____
(if different from order date)

Hon. William Q. Hayes, U.S. District Judge

Printed name and title